



W.P. No.34071 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.06.2024

CORAM:

THE HON'BLE MR. JUSTICE G.K. ILANTHIRAIYAN

W.P. No.34071 of 2022 and
W.M.P.Nos.33532, 33533 of 2022

K.Manickam

... Petitioner

VS.

1. The Sub Divisional Executive Magistrate cum
Revenue Divisional Officer,
Sankari,
Salem District.

2. The Tahsildar,
Edappadi Taluk,
Salem District.

3. Adakathiyan

4. Pappan

5. Velu

6. Raman

7. Raju

8. Rajendran

... Respondents



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Prayer : Writ Petition is filed under Article 226 of Constitution of India to issue a writ of Certiorarified Mandamus calling for the records pertaining to the order passed by the first respondent passed in Na.Ka.1/2022/C dated 30.11.2022 and quash the same and consequentially issued direction directing respondents 1 & 2 to consider the petitioner representations dated 11.07.2022 and 03.12.2022 and permit the petitioner and their family members alone to enter and perform festival and ritual peacefully into the family temple house situated at S.F.No.223 at Ward-D, Edappadi Town, Edappadi Taluk, Salem District.

For Petitioner : Mr.R.Maruthachalamurthy
For Respondents 1 & 2 : Mr.S.J.Mohammed Sathik
Government Advocate
For Respondent 4 : Mr.A.Manojkumar

ORDER

This writ petition has been filed challenging the order passed by the first respondent dated 30.11.2022 thereby permitted the petitioner as well as the respondents 2 to 8 to conduct festival for the Alachampalayam Sri Adaikalangathan, Pappathiamman Veerabathira Swamy and Muniappan Temple on 01.12.2022 and 02.12.2022 situated at S.F.No.223 at Ward-D, Edappadi Town, Edappadi Taluk, Salem District.



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2. Now, the festival was over as early as in the year 2012. The only grievance of the petitioner is that the first respondent cannot impose conditions, who has to conduct the festival poojas for the above said temples.

3. On perusal of the impugned order revealed that festival to be conducted on 01.12.2022 and 02.12.2022. The first respondent imposed certain conditions since both the parties did not agreed for any agreement to conduct festival for the said temple. Therefore, the first respondent passed order. Now, the festival was over and even then the respondents 3 to 8 are following the very same conditions imposed by the first respondent for the subsequent years while conducting festival for those temples. It is clarified that the conditions imposed by the first respondent to conduct festival for the said temples were only on 01.12.2022 and 02.12.2022 and it will not curtail the parties rights to conduct festival in future. If any dispute between the petitioner and the respondents 3 to 8 in respect of their rights for conducting poojas for the said temple and festivals for the said temples, both the parties are at liberty to approach civil court for appropriate relief. The first respondent is not a competent authority to declare certain rights of the petitioner as well as the respondents 3 to 8 herein.



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WEB COPY 4. With the above direction, this writ petition is disposed of.

Consequently, connected miscellaneous petitions are closed. No costs.

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Index: Yes/No

Internet: Yes/No

Speaking Order/Non-Speaking Order

gvn



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WEB COPY To

1. The Sub Divisional Executive Magistrate cum
Revenue Divisional Officer,
Sankari,
Salem District.

2. The Tahsildar,
Edappadi Taluk,
Salem District.



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G.K.ILANTHIRAIYAN, J.

gvn

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